

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT				1. CONTRACT ID CODE J		PAGE OF PAGES 1 2	
2. AMENDMENT/MODIFICATION NO. 0001		3. EFFECTIVE DATE 24-Mar-2003		4. REQUISITION/PURCHASE REQ. NO. W68MD9-3043-7586		5. PROJECT NO.(If applicable)	
6. ISSUED BY USA ENGINEER DISTRICT, SEATTLE ATTN: CENWS-CT P.O. BOX 3755 SEATTLE WA 98124-3755		CODE DACW67		7. ADMINISTERED BY (If other than item 6) See Item 6		CODE	
8. NAME AND ADDRESS OF CONTRACTOR (No., Street, County, State and Zip Code)				<input checked="" type="checkbox"/> 9A. AMENDMENT OF SOLICITATION NO. DACW67-03-B-0003			
				<input checked="" type="checkbox"/> 9B. DATED (SEE ITEM 11) 13-Mar-2003			
				10A. MOD. OF CONTRACT/ORDER NO.			
				10B. DATED (SEE ITEM 13)			
CODE		FACILITY CODE					
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS							
<input checked="" type="checkbox"/> The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offer <input type="checkbox"/> is extended, <input checked="" type="checkbox"/> is not extended. Offer must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended by one of the following methods: (a) By completing Items 8 and 15, and returning <u>1</u> copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.							
12. ACCOUNTING AND APPROPRIATION DATA (If required)							
13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.							
A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.							
B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(B).							
C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:							
D. OTHER (Specify type of modification and authority)							
E. IMPORTANT: Contractor <input type="checkbox"/> is not, <input type="checkbox"/> is required to sign this document and return _____ copies to the issuing office.							
14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.) Title: Grays Harbor Navigation Channel Outer Harbor Maintenance Dredging, Grays Harbor County, Grays Harbor, Washington SEE ATTACHED CONTINUATION SHEET							
Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.							
15A. NAME AND TITLE OF SIGNER (Type or print)				16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)			
				TEL: _____ EMAIL: _____			
15B. CONTRACTOR/OFFEROR _____ (Signature of person authorized to sign)		15C. DATE SIGNED		16B. UNITED STATES OF AMERICA BY _____ (Signature of Contracting Officer)		16C. DATE SIGNED 24-Mar-2003	

SECTION SF 30 BLOCK 14 CONTINUATION PAGE

SUMMARY OF CHANGES

- a. The purpose of this amendment is to incorporate the attached "Notice to Large Business Firms".
- b. In accordance with Contract FAR Clauses 52.219-8 and 52.219-9 ALT II, the attached Notice is incorporated and will be evaluated accordingly.
- c. Potential Bidders must acknowledge this amendment accordingly.
- d. Bid Opening remains on 15 April 2003 at 2:00PM Local Time.
- e. There are no other changes as a result of this amendment.

(End of Summary of Changes)



DEPARTMENT OF THE ARMY
SEATTLE DISTRICT, CORPS OF ENGINEERS
P.O. BOX 3755
SEATTLE, WASHINGTON 98124-3755

REPLY TO
ATTENTION OF

Contracting Division

REV 10 Nov 2002

SUBJECT: DACW67-03-B-0003, FY 03 Outer Grays Harbor Navigation Channel, Outer Harbor Maintenance Dredging, Grays Harbor, WA

NOTICE TO LARGE BUSINESS FIRMS:

Your attention is directed to the contract clauses entitled "Utilization of Small Business Concerns (Oct 2000) (52.219-0008) and "Small Business Subcontracting Plan" (Jan 2002) (52.219-0009II), which are included in this solicitation. If you are a large business, your offer is **\$1,000,000** or more, and you are the apparent low bidder, you will be required to submit a subcontracting plan within 5 calendar days after bid opening. Award will not be made under this solicitation without a subcontracting plan approved by the Contracting Officer.

DEFINITIONS: "Subcontract" means any agreement (other than one involving an employer-employee relationship) entered into by a Federal Government prime contractor or subcontractor calling for supplies and/or services required for performance of the contract or subcontract.

For your information, we consider the following recommended goals reasonable and achievable during the performance of the contract resulting from this solicitation. However, final goals will be negotiated prior to contract award. The final goals will then become a material part of your contract.

- a. 70% of planned subcontracting dollars can be placed with all small business concerns.
- b. 9% of planned subcontracting dollars can be placed with those small business concerns owned and controlled by socially and economically disadvantaged individuals or Historically Black Colleges and Universities or Minority Institutions. NOTE: b. is a subset of a.
- c. 5% of planned subcontracting dollars for small women-owned businesses. NOTE: c. is a subset of a. Also, the women-owned business may meet the definition of a small disadvantaged business. If so, c. will also be a subset of a. (Count firm in all applicable areas.)
- d. 8% of planned subcontracting dollars may be placed with HUBZone small business concerns. NOTE: d. is a subset of a. Note: A HUBZone firm may also SDB, women-owned and/or veteran-owned. Count firm in all applicable areas).
- e. 3% of planned subcontracting dollars for veteran-owned small business. NOTE: e. is a subset of a. Go to <http://www.va.gov/osdbu/vetctr.htm> or <http://www.sba.gov/VETS/> for questions concerning the Veterans Business Development program.
- f. 2% of planned subcontracting dollars may be placed with service-disabled veteran-owned small business. NOTE: f. is a subset of a. and e.

Goals included in any proposed plan submitted by you should be at least equal to the ones we are recommending. If lesser goals are proposed, you will have to explain how those goals and your plan represent your best efforts to comply with the policy outlined in the contract clauses. There are a number of equally important aspects of the plan. I urge you to familiarize yourself with the requirements set forth in the contract clauses relating to the subcontracting plan before submitting your bid. NOTE: A prime contractor may not take credit for contracts let by their subcontractors.

Your plan will be reviewed and scored in accordance with AFARS Appendix DD to ensure it clearly represents your firm's ability to carry out the terms and conditions set forth in the contract clauses. A Subcontracting Plan with a score of less than 70 may not be accepted. It is recommended that you use the enclosed example as a guide to assist you in developing your own subcontracting plan/program. Delete the instructions shown in parenthesis or your small business program will not be approved. If discussions during our review raise doubts as to your intentions or ability to comply with contract clause 52.219.9, it could result in your disqualification for award. The apparent low bidder must submit an acceptable plan within five (5) working days after bid opening.

Your plan must address how you will maximize subcontracting opportunities with the small business communities to be found within the project locations. Demonstrated outreach efforts through conference attendance, use of ProNet, Corporate support of your Small Business Program Liaison Officer and Small Business Program must be addressed in your subcontracting plan.

Your Small Business Program Managers' attendance at DOD Regional Council Meetings for Small Business Education and Advocacy will be a contract requirement. **DOD Policy Guidance:** In accordance with the Small Business Act, it is the policy of the federal government to aid, assist, and counsel small business to ensure that a fair share of contracts are awarded to small business. Consistent with this, it is the policy of DOD to sponsor regional councils as one significant way to aid, assist, and counsel small business through education and advocacy *of its members who are charged with the responsibility of fulfilling this federal policy*. Therefore, be advised that the individual listed in paragraph 7 of the example will be required to attend these regional council meetings and that attendance must be addressed in your subcontracting plan. Your plan should be submitted within 5 working days after bid opening.

Should you have any questions or need assistance in developing your small business program or plan please call the undersigned at (206) 764-6807.

FOR TECHNICAL, ADMINISTRATIVE, OR OTHER QUESTIONS, INCLUDING BID RESULTS, GO TO THE INFORMATION PAGE INSIDE THE FRONT COVER UNDER “INQUIRIES”. Please do not call the undersigned for these types of inquiries.

Enclosure

Sincerely,



Susan C. Price
Deputy for Small Business

NOTE: This is an example plan. You may use this example as a guide in developing your own Small Business Program. Delete all the instructions (parenthesis), including this message, or your plan will be returned.

SMALL BUSINESS SUBCONTRACTING PLAN

DATE:

CONTRACTOR:

ADDRESS:

PHONE NO:

PROJECT TITLE:

SOLICITATION NO:

1. In accordance with the contract clauses at 52.219-8 and 52.219-9, (name of contractor) submits the following Subcontracting Plan for Small, Small Disadvantaged, and Women-owned Business Concerns.

2. Corresponding dollar values for percentages cited in para. 3 for the base period only:

- a. Total contract amount is \$_____.
- b. Total dollars planned to be subcontracted (to all types of businesses): \$_____.
- c. Total dollars planned to be subcontracted to small business concerns (including 2d, 2e, 2f, 2g, and 2h below):
\$_____.
- d. Total dollars planned to be subcontracted to small disadvantaged business concerns: \$_____.
- e. Total dollars planned to be subcontracted to small woman-owned business concerns: \$_____.
- f. Total dollars planned to be subcontracted to HUBZone small business: \$_____.
- g. Total dollars planned to be subcontracted to veteran-owned small business concerns \$_____.
- h. Total dollars planned to be subcontracted to service-disabled veteran-owned small business concerns.
\$_____.

3. The following percentage goals (expressed in terms of a percentage of total planned subcontracting dollars) are applicable to the contract awarded under the solicitation cited above.

a. Small Business Concerns (2c divided by 2b): _____% of total planned subcontracting dollars under this contract will go to subcontractors who are small business concerns including 3c through 3e.

b. Small Disadvantaged Business Concerns (2g divided by 2b): _____% of total planned subcontracting dollars under this contract will go to subcontractors who are small disadvantaged individuals. (**NOTE: SDB firms must be certified by SBA** and meet the definition under clause 52.219-8(c)(3)).

c. Small Woman-Owned Business Concerns (2h divided by 2b): _____% of total planned subcontracting dollars under this contract will go to subcontractors who are small woman-owned businesses

d. Small HUBZone Business Concerns (2f divided by 2b): _____% of total planned subcontracting dollars under this contract will go to subcontractors who are HUBZone small business contractors. (SEE the definition in contract clause 52.219-8(c) or use the internet: <http://www.sba.gov/hubzone/> for further information.)

e. Veteran-owned small business concerns (2d divided by 2b): _____% of total planned subcontracting dollars under this contract will go to subcontractors who are veteran-owned small business.

f. Service-disabled veteran-owned small business concerns (2e divided by 2b): _____% of total planned subcontracting dollars under this contract will go to subcontractors who are service-disabled veteran-owned small business.

4. The principal items or areas we will subcontract under this contract are:

a. Of the items or areas stated in 4; the following are planned to be subcontracted to Small Businesses (LIST THE NAME AND RESPONSIBILITY OF FIRM):

b. Of the items or areas stated in 4.a; the following are planned to be subcontracted to Small Disadvantaged Businesses (LIST THE NAME AND RESPONSIBILITY OF FIRM):

c. Of the items or areas stated in 4.a; the following are planned to be subcontracted to Small Women-Owned Businesses (LIST THE NAME AND RESPONSIBILITY OF FIRM):

d. Of the items or areas stated in 4.a; the following are planned to be subcontracted to HUBZone small business concerns (LIST THE NAME AND RESPONSIBILITY OF FIRM):

e. Of the items or areas stated in 4.a; the following are planned to be subcontracted to Veteran-owned Small Business concerns (LIST THE NAME AND RESPONSIBILITY OF FIRM):

f. Of the items or areas stated in 4.a; the following are planned to be subcontracted to Service-disabled veteran-owned small business concerns (LIST THE NAME AND RESPONSIBILITY OF FIRM):

****NOTE: SEE LAST PAGE IF THIS SOLICITATION HAS OPTION YEARS OR PERIODS (DELETE THIS STATEMENT FROM YOUR PLAN)****

5. Provide a description of the method your firm used to develop the subcontracting goals in paragraph 3:

6. Indirect costs were () were not () used in establishing subcontracting goals. **If indirect costs are included in your goals, furnish a description of the method used to determine the proportionate share of indirect costs to be incurred with (i) small business concerns (ii) small disadvantaged business concerns (iii) women-owned small business concerns (iv) HUBZone small business concerns (v) Veteran-owned small business concerns and (vi) Service-disabled veteran-owned concerns **

7. The following individual will administer (name of contractor) Subcontracting Program:

(NOTE TO OFFERORS: The individual named here will be expected to perform and manage your plan and contract clause 52.219-9). Site Construction project managers may not be acceptable as your small business advocate that manages your Corporate Small Business Program).

Name: _____ Job Title: _____

Address and Telephone Number: _____

This individual's specific duties with regard to the conduct of our firm's Subcontracting Plan will include, but will not be limited to, the following:

a. Developing and maintaining bidders lists of small business, HUBZone small business, small disadvantaged business and women-owned small business concerns using sources such as the Small Business Administration's ProNet (<http://pro-net.sba.gov/>) Washington State Office of Minority and Women-owned Business Enterprises (<http://www.wsdot.wa.gov/omwbe/>) Minority Business Development Agency, US Department of Commerce, Local Minority Business Development Centers, Economic Development Centers, and National Center for American Indian Enterprise Development.

b. Assuring the inclusion of small business concerns, small disadvantaged business concerns, women-owned small business concerns, HUBZone small business concerns, veteran-owned small business concerns and service-disabled veteran-owned small business concerns in all solicitations for products or services which they are capable of providing; and ensuring that all solicitations are structured to permit the maximum possible participation

by small business concerns, small disadvantaged business concerns, women-owned small business concerns, HUBZone small business concerns, veteran-owned small business concerns and service-disabled veteran-owned small business concerns.

c. Establishing and maintaining records of all solicitations and subcontract awards to ensure that the members of the firm who review bidders proposals documents their reasons for selecting or not selecting a bid submitted by a small business concerns, small disadvantaged business concerns, women-owned small business concerns, HUBZone small business concerns, veteran-owned small business concerns and service-disabled veteran-owned small business concerns.

d. Preparing and submitting the Subcontracting Report for Individual Contracts (SF 294) and the Summary Subcontract Report (SF 295) in accordance with instructions provided, and coordinating and preparing for all compliance reviews by Federal agencies.

e. Attendance at DOD sponsored training programs in order to develop guidance and training to firm personnel on the policy of the federal government to aid, assist, and counsel small business under this and other government contracts.

f. Conducting or arranging for all other activities necessary to further the intent and attainment of the goals in the Plan to include motivational training of the firm's purchasing personnel, attendance at workshops, seminars and trade fairs conducted by or on behalf of small business concerns, small disadvantaged business concerns, women-owned small business concerns, HUBZone small business concerns, veteran-owned small business concerns and service-disabled veteran-owned small business concerns.

8. The following steps will be taken to ensure that small business concerns, small disadvantaged business concerns, women-owned small business concerns, HUBZone small business concerns, veteran-owned small business concerns and service-disabled veteran-owned small business concerns receive notice of and have an equitable opportunity to compete for intended awards of subcontracts and/or purchase orders for the products and/or services describe in paragraph 4 above:

a. Sources will be requested through SBA's ProNet system, business development organizations, minority and small business trade associations and at small, minority, veteran small business and women-owned small business procurement conferences; sources will be contacted; and bidding materials will be provided to all responding parties expressing an interest.

b. Internally, motivational training will be conducted to guide and encourage purchasing personnel; source lists and guides to small business concerns, small disadvantaged business concerns, women-owned small business concerns, HUBZone small business concerns, veteran-owned small business concerns and service-disabled veteran-owned small business concerns will be maintained and utilized by purchasing personnel while soliciting subcontracts and purchase orders; activities will be monitored to ensure sufficient time is allowed for interested bidders to prepare their proposals and to evaluate continuing compliance with the Subcontracting Plan.

9. [Name of contractor] agrees that the clause entitled "Utilization of Small Business Concerns" (Oct 2000) will be included in all subcontracts that offer further subcontracting opportunities. All subcontractors, except small business concerns, who receive subcontracts in excess of \$500,000 (\$1,000,000 in the case of construction) will be required to adopt a subcontracting plan that complies with the requirements of this clause. Such plans will be reviewed to assure that all minimum requirements of an acceptable subcontracting plan have been satisfied.

10. (Name of contractor) agrees to submit such periodic reports and cooperate in any studies or surveys as may be required by the Contracting agency or Small Business Administration in order to determine the extent of compliance by the offeror with the subcontracting plan and with the clause entitled "Utilization of Small Business Concerns" contained in the contract.

11. (Name of Contractor) agrees to maintain at least the following types of records to document compliance with the Subcontracting Plan:

a. The names of all organizations, agencies, and associations contacted for small business concerns, small disadvantaged business concerns, women-owned small business concerns, HUBZone small business concerns, veteran-owned small business concerns and service-disabled veteran-owned small business concerns along with records of attendance at conferences, seminars and trade fairs where additional sources were developed.

b. Source lists, guides, and other data identifying small business concerns, small disadvantaged business concerns, women-owned small business concerns, HUBZone small business concerns, veteran-owned small business concerns and service-disabled veteran-owned small business concerns.

c. Records on all subcontract solicitations resulting in an award of more than \$100,000 on a contract-by-contract basis, indicating (1) whether small business concerns were solicited, and if not, why not; (2) whether veteran-owned small business concerns were solicited, and if not, why not; (3) whether service-disabled veteran-owned small business concerns were solicited, and if not, why not; (4) whether HUBZone small business were solicited, and if not, why not; (5) whether small disadvantaged business concerns were solicited, and if not, why not; and (6) whether small women-owned business concerns were solicited, and if not, why not; and (7) reasons for the failure of solicited small business concerns, veteran-owned small business concerns, service-disabled veteran-owned small business concerns, HUBzone small business concerns, small disadvantaged business concerns, and women-owned small business concerns to receive a subcontract award.

d. Records of all subcontract award data to include subcontractor's name and address, to be kept on a contract-by-contract basis.

e. Minutes of internal motivational and training meetings held for the guidance and encouragement of purchasing personnel, and records of all monitoring activities performed for compliance evaluation.

f. Copies of SF 294 and SF 295 showing date and place of filing and copies of all other reports or results of reviews conducted by the contracting agency or other interested agencies of the Federal government to monitor our compliance with this Subcontracting Plan.

12. (Name of Contractor) will submit a SF 295, Summary Subcontract Report, on Corps of Engineers projects only. The SF 295 shall be completed and distributed in accordance with the Corps of Engineers Supplemental Instructions. (Name of Contractor) will not report Corps of Engineers projects through any other Agency unless authorized by the Contracting Officer.

13. In closing, (Name of contractor) states that it will be the policy of (Name of contractor) to afford every practicable opportunity for small business concerns, small disadvantaged business concerns, women-owned small business concerns, HUBZone small business concerns, veteran-owned small business concerns and service-disabled veteran-owned small business concerns to participate in contracts awarded to (Name of contractor) by the Federal Government, to ensure that equitable opportunity is provided small business concerns, small disadvantaged business concerns, women-owned small business concerns, HUBZone small business concerns, veteran-owned small business concerns and service-disabled veteran-owned small business concerns to compete for award of subcontracts and purchase orders, and to diligently pursue the achievement of our goals of participation by small business concerns, small disadvantaged business concerns, women-owned small business concerns, HUBZone small business concerns, veteran-owned small business concerns and service-disabled veteran-owned small business concerns in the dollars available for subcontract/purchase order awards under this contract.

BY: _____

Signature and Title of CEO
Company Name

DATE: _____

NOTE: If this solicitation has options (or option periods) , the plan must contain separate goals for **each** option or option period (year). EXAMPLE:

	<u>Dollars</u>	<u>Percentage</u>
1. Optional Yr_____total:	\$_____	_____
2. Total to be subcontracted to all types of businesses:	\$_____	_____
a. Subcontracted to Small Business (including b, c, d, e, and f below):	\$_____	_____
b. Subcontracted to Small Disadvantaged Businesses:	\$_____	_____
c. Subcontracted to Women- Owned Small Businesses:	\$_____	_____
d. Subcontracted to HUBzone concerns	\$_____	_____
e. Subcontracted to Veteran-owned Small Business:	\$_____	_____
f. Subcontracted to Service-disabled Small Business	\$_____	_____
1. Optional Yr_____total:	\$_____	_____
2. Total to be subcontracted to all types of businesses:	\$_____	_____
a. Subcontracted to Small Business (including b, c, d, e, and f below):	\$_____	_____
b. Subcontracted to Small Disadvantaged Businesses:	\$_____	_____
c. Subcontracted to Women- Owned Small Businesses:	\$_____	_____
d. Subcontracted to HUBzone concerns	\$_____	_____
e. Subcontracted to Veteran-owned Small Business:	\$_____	_____
f. Subcontracted to Service-disabled Small Business	\$_____	_____